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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,496	01/24/2001	Franciscus Theodorus Cornelis Geerts	8553/201	2695

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EXAMINER
LA, ANH V

ART UNIT	PAPER NUMBER
2632	

DATE MAILED: 01/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/767,496	Applicant(s) Geerts
	Examiner Anh La	Art Unit 2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____

2a) ☐ This action is **FINAL.** 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1, 2, and 19-47* is/are pending in the applica

4a) Of the above, claim(s) _____ is/are withdrawn from considera

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1, 2, and 19-47* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirem

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

DETAILED ACTION

1. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 19, 21-30, 33-37, 42, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Root in view of Pong.

Regarding claim 1, Root discloses a system comprising an unmanned weather detecting unit 16 having a detection means (column 8, line 45 to col. 9, line 20) for determining the climate. The unmanned weather detecting unit 16 can be used everywhere as desired by the user (col. 1, lines 5-65), therefore, it is clearly seen that the unmanned weather detecting unit 16 can be used in a stable for determining the climate in the stable. Root does not disclose an unmanned vehicle

being provided with the climate detection means. Pong discloses the use of an unmanned vehicle 10 that has light detection means 40, 42, 44, attached on the surface of the vehicle. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an unmanned vehicle being provided with the climate detection means to the system of Root as taught by Pong for the purpose of determining the climate in that area since Root teaches the unmanned weather detecting unit 16 being used everywhere.

Regarding claim 2, Root discloses a temperature sensor (col. 8, line 45- col. 9, line 20).

Regarding claims 19 and 21, Root discloses a system comprising an unmanned weather detecting unit 16 having at least two sensors consisting of a temperature sensor, an air humidity sensor, (column 8, line 45 to col. 9, line 20), an air velocity sensor, and an air pressure sensor (col. 7, lines 25-45). The unmanned weather detecting unit 16 can be used everywhere as desired by the user (col. 1, lines 5-65), therefore, it is clearly seen that the unmanned weather detecting unit 16 can be used in a stable for determining the meteorological conditions in the stable. Root does not disclose an unmanned vehicle being provided with the sensors. Pong discloses the use of an unmanned vehicle 10 that has light detection means 40, 42, 44, attached on the surface of the vehicle. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an unmanned vehicle having light detection means being provided with the weather sensors to the system of Root as taught by Pong for the purpose of determining the meteorological conditions in that area since Root teaches the unmanned weather detecting unit 16 being used everywhere.

Regarding claim 22, Root discloses an air pressure sensor (col. 7, lines 25-45).

Regarding claim 23, Root discloses an air humidity sensor (col. 8, lines 45-55).

Regarding claim 24, Root discloses an air pressure sensor (col. 7, lines 25-45) and an air humidity sensor (col. 8, lines 45-55).

Regarding claims 25-26, Root as modified by Pong clearly teaches the sensors being disposed at different levels on a carrier which is part of the vehicle and being adjustable in height relative to the vehicle (because unit 16 is attached to the surface of the vehicle). Also, it is noted that the sensors are disposed at different levels on the unit 16.

Regarding claim 27, Root discloses a data processing unit that stores data from the sensors (see figures 2A-3).

Regarding claim 28, Root discloses a processing unit that processes data from the sensors (see figures 2A-3).

Regarding claim 29, Root discloses a control unit (see figures 2A-3).

Regarding claim 30, Root discloses a memory for registering data from the sensors (see figures 2A-3).

Regarding claim 33, Root discloses a transmitter unit and a register unit (see figures 2A-3).

Regarding claim 34, Root discloses a transmitter unit and a register unit (see figures 2A-3).

Regarding claim 35, Root discloses a transmitter unit and a control unit (see figures 2A-3).

Regarding claim 36, Root discloses a transmitter unit and a control unit (see figures 2A-3).

Regarding claim 37, Root in view of Pong discloses all the claimed subject matter as set forth above in the rejection of claim 19, but does not disclose a navigation means. Pong further discloses a navigation means (col. 1, lines 24-26). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a navigation means to the system of Root as taught by Pong for the purpose of guiding the vehicle through the stable.

Regarding claim 42, Root discloses a data management system (fig. 2A-3).

Regarding claim 47, the Root as modified by Pong teaches all the claimed subject matter as set forth above in the rejection of claims 19, 25, and 26.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Root in view of Pong as applied to claim 19 above, and further in view of Taylor.

Regarding claim 20, Root in view of Pong discloses all the claimed subject matter as set forth above in the rejection of claim 19, but does not disclose a gas sensor which senses ammonia. Taylor teaches the use of a gas sensor which senses ammonia (col. 2, line 65-col. 3, line 8). It would have been obvious at the time the invention was made to a person having ordinary skill in

the art to include a gas sensor which senses ammonia to the system of Root (modified by Pong) as taught by Taylor for the purpose of monitoring the meteorological conditions in the stable.

5. Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Root in view of Pong as applied to claim 19 above, and further in view of Holzel.

Regarding claims 31-32, Root in view of Pong discloses all the claimed subject matter as set forth above in the rejection of claim 19, but does not disclose alarm means. Holzel teaches the use of alarm means (col. 6, lines 34-35). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include alarm means to the system of Root (modified by Pong) as taught by Taylor for the purpose of providing an alarm signal when the climate in the stable has become uncontrollable.

6. Claims 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Root in view of Pong as applied to claim 19 above, and further in view of Hurnik.

Regarding claims 38-41, Root in view of Pong discloses all the claimed subject matter as set forth above in the rejection of claim 19, but does not disclose an animal identification system, a camera, and a radar. Hurnik teaches the use of an animal identification system (col. 2, lines 50-59), a camera (col. 2, line 40), and a radar (fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an animal identification

system, a camera, and a radar to the system of Root (modified by Pong) as taught by Hurnik for the purpose of monitoring the animals in the stable.

7. Claims 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Root in view of Pong as applied to claim 19 above, and further in view of Pratt.

Regarding claims 43-46, Root in view of Pong discloses all the claimed subject matter as set forth above in the rejection of claim 19, but does not disclose feed modification means. Pratt teaches the use of feed modification means (col. 4, lines 40-58, col. 6, lines 5-22). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include feed modification means to the system of Root (modified by Pong) as taught by Pratt for the purpose of modifying the quantity of feed supplied to animals in the stable when the climate in the stable changes. Regarding the temperature of 4 degrees in C, it would have been obvious to set a predetermined temperature as desired for the purpose of modifying the quantity of feed supplied to animals in the stable when temperature drops below a predetermined temperature.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pitchford teaches a navigation system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner La whose telephone number is (703) 305-3967. The examiner can normally be reached on Monday--Friday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached at (703)-305-4717. The fax phone number for this Group is (703) 872-9314.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Anh V. La
January 13, 2002